IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.45885 of 2008
PRAHLAD RAI @ POCHARAI
Versus
THE STATE OF BIHAR

2/ 25/11/2008. Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend arrest in a police case under Sections- 366 and 368/34 of I.P.C.

The allegations are that the marriage of the daughter of the informant was solemnized on 9th of March, 2008. She returned back to her parents' house two days later. On 18th of March, she went for a Keertan in the night from where she disappeared. The complainant was told that petitioner No.1 had taken her away whose mobile phone was switched off. Few days later daughter of the informant called from the mobile of one Nouka Rai stating that she had been taken away by Prahlad Rai, a co-accused.

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The defense is that the daughter of the informant is a major, aged 23 years, and had married the petitioner of her own volition for which reliance is placed on an affidavit of 25.1.2008 much prior to the occurrence. In fact, the alleged husband of the victim stated in the F.I.R. was the husband of the sister of the victim.

Having considered the facts and circumstances of the case, let the petitioner above named surrender before the court below within four weeks when he shall be enlarged on anticipatory bail upon furnishing the bail-bonds of Rs.10,000/- (ten thousand) along with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Katihar in Azamnagar P.S. Case No.77 of 2008, subject to the conditions laid down under Section-438(2) Cr.P.C.

KC **(Navin Sinha, J)**

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